

Introduction

The North Coast Regional Water Quality Control Board (Regional Water Board) is considering adopting an amendment to the Basin Plan to address low threat discharges to surface waters. This document provides a summary of issues that need to be addressed, background information on the need for the amendment, and elements that may be included in the proposed amendment.

Background

The federal Clean Water Act requires that point source discharges of pollutants to waters of the United States be permitted in accordance with the national Pollutant Discharge Elimination System. The Water Quality Control Plan for the North Coast Region (Basin Plan) contains seasonal prohibitions against all point source discharges to certain surface waters during the period May 15 to September 30 of each year as well as year-round prohibitions for discharges to other specified waterbodies.

Regional Water Board staff finds there are categories of discharge that are periodic, low volume discharges to surface waters that may not impact water quality. Examples of such discharges include, but are not limited to, incidental irrigation runoff of recycled or potable water, construction dewatering, groundwater well development discharges, and discharges resulting from disinfection of water supply infrastructure.

The Low Threat Discharge Basin Plan Amendment is necessary to provide exceptions to the Basin Plan point source discharge prohibitions for discharges that can be demonstrated as not having an adverse impact on water quality and for which there are no other reasonable discharge alternatives.

Considerations

Regional Water Board staff is considering the following approach to address low threat discharges in relation to the existing prohibitions.

A. Two categories of discharges are anticipated to be covered by the proposed amendment:

1. Low Threat Discharges

- a.** Definition: A low threat discharge is a planned short-term and/or low volume discharge from a definable project that meets all applicable water quality objectives (including the State and federal antidegradation objectives), without additional dilution.
- b.** Examples of discharges potentially meeting the above definition may include, but are not necessarily limited to, the following:
 - i.** Discharges associated with construction dewatering.
 - ii.** Discharges associated with water supply well installation, development, test pumping and purging.

- iii. Discharges resulting from the maintenance of uncontaminated water supply wells, pipelines, tanks, and reservoirs.
 - iv. Discharges resulting from hydrostatic testing of water supply vessels, pipelines, tanks, etc.
 - v. Discharges resulting from the disinfection, flushing or cleaning of water supply pipelines, tanks, reservoirs, etc.
 - vi. Commercial cooling tower water.
 - vii. Swimming and landscape pool drainage.
 - viii. Other similar types of wastes that pose a low threat to water quality yet technically must be regulated under a permit.
- c. Possible Implementation Approach:
- i. Submittal of a permit application (Report of Waste Discharge, Notice of Intent or NPDES Permit applications) describing project and demonstrating that project qualifies as low threat discharge.
 - ii. Require monitoring and reporting program.
 - iii. Submittal of a written request for a prohibition exemption that considers alternatives to discharge, waste characterization and complete description of any required treatment systems.

2. Incidental Runoff

- a. Definition: Incidental runoff is a category of low threat discharge. It is an unanticipated, infrequent discharge of water that meets all applicable water quality standards. These types of discharges may be considered point-source discharges when associated with certain municipal, industrial or construction storm water programs.
- b. Examples of discharges potentially meeting the definition:
- i. Runoff of recycled or potable water resulting from an unanticipated broken sprinkler head, stalled irrigation reel, etc.
 - ii. Discharge of potable or recycled water resulting from an unanticipated broken water line.
 - iii. Discharges from breaks of equipment that are the result of deferred or poor equipment maintenance would not be considered “unanticipated” under this amendment.
- c. Possible Implementation Approach
- i. Provide an exception to seasonal discharge prohibition for incidental runoff incidents that meet specific criteria (e.g., accidental, infrequent, not due to neglect of maintenance, etc.).
 - ii. Require permit holders to prepare management plans to avoid, minimize or mitigate such discharges.
 - iii. Require monitoring and reporting following a release, including a description of response to the incident and steps to be taken to prevent such discharges in the future.

B. Areas of Basin Plan considered for amendment

1. Add a new Action Plan for Low Threat Point Source Discharges to the Basin Plan.
2. Modify Action Plan for Storm Water Discharges to clarify that it supersedes the seasonal discharge prohibition.
3. Modify other applicable sections of the Basin Plan, if necessary.

C. Additional considerations

1. Amendment would be applicable to all point source discharges region-wide.
2. Amendment would be applicable to periodic, short-term, and/or low volume discharges that meet all applicable water quality objectives and must be permitted.
3. Amendment would create accountability for low threat discharges.